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From	Nadège M. Lagneau, Ph.D.	Number of Pages	15 (including this page)
Date	February 21, 2006	Client Number	2003946-0110
Phone	(617) 248-5150	Operator	Time Sent

**Comments** Applicant: Boivin *et al.* Examiner: NYA.  
Serial No: NYA Group Art Unit: NYA  
Filing Date: September 8, 2004 Confirmation No.: 8892  
Corresp. to: PCT/US03/07377  
Int. Filing Date: March 7, 2003  
Priority: 60/362,883 Filed March 8, 2002  
60/380,711 Filed May 14, 2002  
Title: MACROCYCLIC COMPOUNDS USEFUL AS PHARMACEUTICALS

In response to the Notification of Missing Requirements under 35 U.S.C. § 371 in the above-referenced application mailed by the U.S. Patent and Trademark Office on February 6, 2006, enclosed herewith are:

1. Transmittal Letter (1 page);
2. Response to Notification of Missing Requirements under 35 U.S.C. § 371 (2 pages);
3. Copy of Notification of Missing Requirements under 35 U.S.C. § 371 (2 pages);
4. Copies of forms PCT/IB/306 issued September 23, 2003 and May 28, 2004 in corresponding International Application No.: PCT/US03/07377 (9 pages); and
5. Facsimile cover sheet (1 page).

Respectfully submitted,

Nadège M. Lagneau, Ph.D.  
Reg. No.: 51,908

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PAGE 1/21 \* RCVD AT 2/21/2006 3:38:05 PM [Eastern Standard Time] \* SVR:USPTO-EFXXRF-6/34 \* DNIS:2738300 \* CSID:6172484000 \* DURATION (mm-ss):05-06

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ATTORNEY DOCKET No.: 2003946-0110 (ANDI/US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Boivin *et al.*  
Serial No: NYA  
Filing Date: September 8, 2004  
Corresp. to: PCT/US03/07377  
Int. Filing Date: March 7, 2003

Examiner: NYA.  
Group Art Unit: NYA  
Confirmation No.: 8892

Priority: 60/362,883 Filed March 8, 2002

60/380,711 Filed May 14, 2002

Title: MACROCYCLIC COMPOUNDS USEFUL AS PHARMACEUTICALS

Mail Stop: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## Certificate of Facsimile Transmission

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February 21, 2006

Date

Signature

Typed or Printed Name of person signing certificate

Sir:

TRANSMITTAL

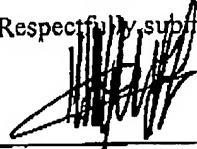
In response to the Notification of Missing Requirements under 35 U.S.C. § 371 in the above-referenced application mailed by the U.S. Patent and Trademark Office on February 6, 2006, enclosed herewith are:

- 1) Response to Notification of Missing Requirements under 35 U.S.C. § 371 (2 pages);
- 2) Copy of Notification of Missing Requirements under 35 U.S.C. § 371 (2 pages);
- 3) Copies of forms PCT/IB/306 issued September 23, 2003 and May 28, 2004 in corresponding International Application No.: PCT/US03/07377 (2 pages); and
- 4) Facsimile cover sheet (1 page).

Please charge any fees or credit any overpayments to our Deposit Account No. 03-1721.

Respectfully submitted,

Dated: February 21, 2006

  
Nadège M. Lagneau, Ph.D.  
Reg. No.: 51,908

PATENT GROUP  
CHOATE, HALL & STEWART LLP  
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Boston, MA 02110  
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**ATTORNEY DOCKET No.: 2003946-0110 (ANDI/US)****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Boivin *et al.*  
Serial No: NYA  
Filing Date: September 8, 2004  
Corresp. to: PCT/US03/07377  
Int. Filing Date: March 7, 2003

Examiner: NYA.  
Group Art Unit: NYA  
Confirmation No.: 8892

Priority: 60/362,883 Filed March 8, 2002  
60/380,711 Filed May 14, 2002

Title: MACROCYCLIC COMPOUNDS USEFUL AS PHARMACEUTICALS

Mail Stop: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Certificate of Facsimile Transmission**  
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February 21, 2006  
Date

Signature

Megan Crowley

Typed or Printed Name of person signing certificate

Sir:

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. § 371**  
**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

In response to the Notification of Missing Requirements under 35 U.S.C. § 371 in the above-referenced application mailed by the U.S. Patent and Trademark Office on February 6, 2006, enclosed herewith are the documents listed below. The shortened statutory deadline for filing a response is April 6, 2006. Accordingly, Applicant respectfully submits that the filing of this response on February 21, 2006 is timely.

- 1) Copy of Notification of Missing Requirements under 35 U.S.C. § 371 (2 pages);
- 2) Copies of forms PCT/TB/306 issued September 23, 2003 and May 28, 2004 in corresponding International Application No.: PCT/US03/07377 (2 pages); and
- 3) Facsimile cover sheet (1 page).

The Notification of Missing Requirements states that the Declaration filed on September 8, 2004 does not comply with 37 C.F.R. § 1.497(a) and (b) in that the inventors listed therein do not match the inventors listed on the cover page of the International Application. Namely, Seiichi Kobayashi, Heather Davis, Lucian DiePietro, Sandra Gilbert and Shawn Schiller were named as co-inventors on the International Application but are omitted from the Declaration. In addition, Jesse Chow, Fabian Gusovsky, Kenzo Muramoto and Hiroshi Shirota are listed on the Declaration, but were not included in the International Application.

U.S.S.N. 10/507,067  
4046821v1

Page 1 of 2

Atty. Docket No.: 2003946-0110  
Client Reference: ANDI/US

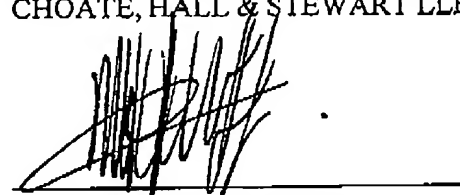
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Enclosed are copies of forms PCT/IB/306 attesting to the addition of Jesse Chow, Fabian Gusovsky, Kenzo Muramoto and Hiroshi Shirota; and the deletion of Seiichi Kobayashi, Heather A. Davis, Lucian DiePitro, Sandra Gilbert and Shawn Schiller as inventors/applicants in the International Application.

Accordingly, the executed Declaration on record in the instant US Application properly lists the inventors that were named in the international Application, and is therefore in compliance with 37 C.F.R. § 1.497(a) and (b). A notice to that effect is respectfully requested.

It is not believed that any fees are required for filing the present response. However, Please charge any additional fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully submitted,  
CHOATE, HALL & STEWART LLP



Nadège M. Lagneau, Ph.D.  
Reg. No. 51,908

Dated: February 21, 2006

PATENT DEPARTMENT  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/507,067	Roch Boivin	2003946-0110(ANDI/US) ✓

INTERNATIONAL APPLICATION NO.
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PCT/US03/07377

LA. FILING DATE	PRIORITY DATE
03/07/2003	03/08/2002

24280

CHOATE, HALL & STEWART LLP  
TWO INTERNATIONAL PLACE  
BOSTON, MA 02110

Missing Requirements  
Due 4-06-06  
Final 9-06-06

CONFIRMATION NO. 8892

371 FORMALITIES LETTER



\*OC000000017698317\*

Date Mailed: 02/06/2006

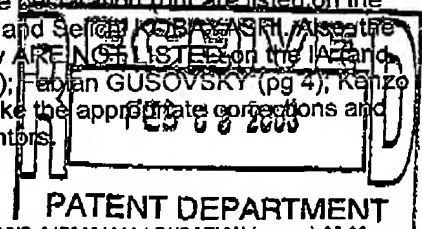
### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/08/2004
- Copy of the International Search Report filed on 09/08/2004
- Copy of IPE Report filed on 09/08/2004
- Copy of Annexes to the IPEP filed on 09/08/2004
- Preliminary Amendments filed on 09/08/2004
- Information Disclosure Statements filed on 11/10/2004
- Oath or Declaration filed on 11/10/2004
- Request for Immediate Examination filed on 09/08/2004
- U.S. Basic National Fees filed on 09/08/2004
- Assignment filed on 09/08/2004
- Priority Documents filed on 09/08/2004
- Power of Attorney filed on 09/08/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - The inventors listed on the cover page of the IA, do not match those that are listed on the submitted declaration(s). The following inventors are NOT LISTED on the declaration (but are listed on the IA): Lucian DIEPITRO; Sandra GILBERT; Shawn SCHILLER and Sergio KOBYAKSRI. Also the following inventors are listed on the declaration, however, they ARE NOT LISTED on the IA and should NOT be a part of the declaration): Jesse CHOW (pg.3); Fabian GUSOVSKY (pg 4); Kanzo MURAMOTO (pg 7); and Hiroshi SHIROTA (pg 8). Please make the appropriate corrections and submit a new declaration or explain the new and omitted inventors.



ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/507,067	PCT/US03/07377	2003946-0110(ANDI/US)

FORM PCT/DO/EO/905 (371 Formalities Notice)

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